

Message Text

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FM AMEMBASSY DAMASCUS

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C O N F I D E N T I A L DAMASCUS 2158

E.O. 11652: GDS

TAGS: SHUM PFOR PINS PINT PORG EAID EFIN SY

SUBJ: HUMAN RIGHTS IN SYRIA

REF: (A) STATE 45319, (B) DAMASCUS A-9, , MARCH 4, 1975

1. SUMMARY: THIS TELEGRAM SUMMARIZES EMBASSY AIRGRAM "HUMAN RIGHTS IN SYRIA" BEING SUBMITTED IN RESPONSE REF A, WITH SPECIAL EMPHASIS ON SYRIAN TREATMENT OF ARREST, TORTURE, AND FREEDOM OF MOVEMENT AS WELL AS USG EFFORTS TO PROMOTE FULLER OBSERVANCE OF HUMAN RIGHTS. END SUMMARY.

2. SYRIAN CONSTITUTION OF MARCH 1973 PROVIDES FOR ABSOLUTE FREEDOM OF RELIGION, OF RIGHT TO WORK, AND OF RIGHT TO HAVE AN EDUCATION. FREEDOM OF MOVEMENT WITHIN SYRIA, FREEDOM OF ASSEMBLY AND SPEECH, AND FREEDOM FROM SEARCH AND DETENTION ARE PROVIDED "IN ACCORDANCE WITH LAW." PERSONS ARE PRESUMED INNOCENT UNTIL PROVEN GUILTY. CONSTITUTION FURTHER STATES THAT NO PERSON SHALL BE SUBJECTED TO PHYSICAL OR MORAL TORTURE.

3. ARREST.

SUSPECT IN SYRIA CAN BE DETAINED BY AUTHORITIES FOR CONSIDERABLE LENGTH OF TIME BEFORE CASE ACTUALLY COMES TO COURT. JUDGE HAS AUTHORITY TO RELEASE
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OFFENDERS ON BAIL AND TO INFLUENCE PACE OF TRIAL,

WHICH IS OFTEN PAINFULLY SLOW. ON OCCASION, SYRIAN SECURITY SERVICES HAVE DETAINED SYRIAN CITIZENS AND FOREIGN NATIONALS AND HELD THEM INCOMMUNICADO FOR PERIODS OF SEVERAL WEEKS. SUCH DETENTIONS HAVE GENERALLY BEEN RELATED TO SUSPICION OF ESPIONAGE OR OTHER THREAT TO SECURITY OF STATE. POLITICAL DISSIDENTS, OFFICIALS OF PREVIOUS GOVERNMENTS, AND MILITARY OFFICERS WHOSE LOYALTY IS SUSPECT MAY BE SENTENCED TO INDEFINITE TERMS OF IMPRISONMENT.

4. TORTURE.

EMBASSY BELIEVES THAT USE OF TORTURE HAS BEEN CURTAILED BY ASAD REGIME BUT NOT COMPLETELY ABOLISHED. WE HAVE HEARD, BUT CANNOT VERIFY, THAT TORTURE HAS BEEN USED OR THREATENED BY SECURITY SERVICES ON SYRIAN DETAINEES SUSPECTED OF ESPIONAGE OR PLOTTING AGAINST REGIME. ONLY RECENT INCIDENT OF TORTURE AGAINST FOREIGN NATIONAL THAT WE HAVE HEARD OCCURRED IN EARLY SPRING 1975 WHEN DETAINEE CLAIMED HE HAD BEEN HIT ONCE ON HIS BARE FOOT WITH RUBBER HOSE DURING INTERROGATION AS THREAT OF TORTURE TO COME IF HE DID NOT COOPERATE.

5. FREEDOM OF MOVEMENT.

MEMBERS OF SYRIAN JEWISH COMMUNITIES IN DAMASCUS, ALEPPO AND QAMISHLE MAY NOW NOTIFY THE AUTHORITIES BY TELEPHONE THAT THEY INTEND TO TRAVEL BEYOND DISTRICT IN WHICH THEY RESIDE; WRITTEN PERMISSION NO LONGER REQUIRED. CONSTITUTION IS SILENT ON RIGHTS OF CITIZENS TO TRAVEL OUTSIDE SYRIA, LEAVING THIS AREA TO BE REGULATED BY LEGISLATION AND PRESIDENTIAL DECREES. LEGISLATION CURRENTLY EXISTS RESTRICTING TRAVEL ABROAD FOR SYRIANS WHOSE SKILLS SARG DEEMS NEEDED IN SYRIA AND FOR MILITARY-AGE STUDENTS. ANOTHER LAW EMPOWERS MINISTRY OF INTERIOR TO WITHDRAW OR REFUSE ISSUANCE OF PASSPORTS WITHOUT EXPLANATION.

SYRIAN JEWS CAN NORMALLY OBTAIN PASSPORTS AND TEMPORARY EXIT VISAS VALID FOR UP TO THREE MONTHS ONLY
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UPON DEPOSIT OF 25,000 SYRIAN POUNDS (\$6,850) BOND AND PRESENTATION OF SOLID EVIDENCE THAT THEY ARE LIKELY TO RETURN TO SYRIA. OVER PAST YEAR, EMBASSY KNOWS OF SEVERAL SYRIAN JEWS WHO HAVE TRAVELED TO EUROPE OR THE U.S. FOR URGENT MEDICAL TREATMENT, BUSINESS, OR TOURISM. SARG AT PRESENT DOES NOT PERMIT SYRIAN JEWS TO EMIGRATE. OFFICIALS WITH WHOM ISSUE HAS BEEN DISCUSSED EXPLAIN THAT RESTRICTION IS TEMPORARY, CAUSED BY PRESENT STATE

OF WAR BETWEEN SYRIA AND ISRAEL. THEY SOMETIMES ADD THAT SYRIA CANNOT CREDIBLY URGE SOVIET UNION AND OTHERS TO LIMIT JEWISH EMIGRATION IF IT IS ITSELF PERMITTING MEMBERS OF ITS JEWISH COMMUNITY TO LEAVE. NONETHELESS, WE HAVE EVIDENCE THAT SARG HAS PERMITTED AT LEAST TWENTY-FIVE MEMBERS OF JEWISH COMMUNITY TO EMIGRATE SURREPTITIOUSLY FROM SYRIA IN PAST TWO YEARS.

6. USG EFFORTS.

ON NUMEROUS OCCASIONS U.S. OFFICIALS AND VISITING MEMBERS OF CONGRESS HAVE EXPRESSED CONCERN TO SENIOR SYRIAN OFFICIALS, INCLUDING PRESIDENT ASAD, REGARDING RESTRICTIONS ON EMIGRATION OF SYRIAN JEWS. SYRIAN OFFICIALS HAVE EXHIBITED GREAT SENSITIVITY ON THIS ISSUE WHICH THEY TEND TO FEEL MARKS UNWARRANTED INTRUSION INTO SYRIAN INTERNAL AFFAIRS. PRESIDENT ASAD HAS REPLIED THAT HE ENVISAGES SOLUTION TO PROBLEM WILL COME IN CONTEXT OF OVERALL SETTLEMENT OF ARAB-ISRAELI CONFLICT. HE HAS ALSO INVITED AMERICANS WITH RELATIVES IN SYRIAN JEWISH COMMUNITY TO VISIT SYRIA AND HAS GIVEN HIS PERSONAL ASSURANCES REGARDING THEIR SAFETY WHILE HERE.

7. EMBASSY HAS ALSO ON CONTINUOUS BASIS SOUGHT TO IMPRESS ON SARG NEED FOR PROMPT NOTIFICATION, CONSULAR ACCESS, AND A SPEEDY TRIAL WHEN AN AMERICAN CITIZEN IS DETAINED.

8. U.S. SECURITY ASSISTANCE TO SYRIA HAS NOT BEEN ASSOCIATED IN ANY WAY WITH POSSIBLE VIOLATIONS OF HUMAN RIGHTS. MISSION MONITORS CLOSELY USE OF U.S. ASSISTANCE FUNDS TO ASSURE THAT THEY ARE EXPENDED SOLELY FOR ECONOMIC DEVELOPMENT PURPOSES.
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